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that it can permit or deny game play based in part on geopolitical or geographical restrictions, comprising the steps:

generating player identification data;

generating wager data;

generating geographical location data indicating the present geographical location of said player;

generating universal time data;

encoding said player identification data, said wager data, said location data and said time data;

transmitting the encoded data to the casino through a communications medium; [and]

receiving the encoded data at said casino;

decoding the transmitted encoded data and

using the decoded identification data, wager data, geographical location data and time data to determine the eligibility of the player, and if the player is qualified, generating a response notifying the player that he may commence game play.

REMARKS

Responsive to the Examiner's requirement, the title of the application has been amended as indicated above. Furthermore, the claims have been amended to clearly indicate that the present invention relies upon a determination of geographical location of a remote terminal as part of the information required to qualify use of the terminal to participate in a gaming enterprise.

As is pointed out at length in the background section of the present application, in gambling that takes place across geopolitical boundaries, it is important to identify both where the gambling occurs, and where the parties (both host casino and player) to the gambling activity are located, since location is one of the factors used to establish both the legality of the gambling transaction and the jurisdiction for regulation and enforcement of the activity. This is of particular concern relative to remote gambling transactions made using a communication media such as the Internet, because one cannot always know where both the client (player) and the host server (usually a casino) are located when the connecting medium is not "hard wire" connected from one end of the link to the other. To Applicants' knowledge, at the time that the present invention was made, no practical means was known for accomplishing the objectives of the

present invention. Applicants were in fact, the first to combine remote gambling technology with GPS technology to permit gambling across geopolitical boundaries.

Claims 1, 2, 6-7, 21-22, 27, 34-38 and 40 have been rejected under 35 U.S.C. 102(e) as being anticipated by Vuong et al., No. 5,762,552. The Examiner asserts, inter alia, that Vuong et al. meets the claimed limitations by showing "electronic locating means for generating location data indicating the present location of said player terminal apparatus and for generating time data evidencing universal time", and further discloses "means for using the decoded identification data, wager data, location data and time data, to determine the eligibility of the player". Applicants respectfully submit that the Examiner is in error in that no such means are shown, described or otherwise anticipated by Vuong et al. Although Vuong et al. suggests that gambling machines can be employed at remote locations, the fact that they fail to discuss, or even mention the problems associated with geopolitical boundaries, evidences that they are not concerned with such limitations, or are perhaps not aware of such limitations. Statements are made such as

"If the player is playing at a remote site, the result of each play of the game of chance is compared by the network manager with the bets placed by the player to determine if the player wins or loses those bets. The network manager then transmits the win/loss determination to the remote gaming machine". (Col. 3, lines 42 et seq.)

"In another preferred embodiment, the system comprises a plurality of gaming tables coupled to a network manager by a transmission network and a plurality of gaming machines, each of which comprises an interactive television system or multi-media computer system. The gaming machines are coupled to the network manager by a cable, satellite, or other direct broadcast transmission system". (Col. 3, line 63 – Col. 4, line 2)

In column 6, at line 29, the patent states that

"In Fig. 2, a plurality of gaming machines are coupled to a selected one of gaming tables 12 through network manager 40 by a VSAT transmission network. Primary station 22 and secondary station 23 establish communication links for the transmission of digital, video and audio information by satellite (not shown)... The embodiment shown in Fig. 2 is ideally suited for establishment of a remote casino annex in non-traditional locations such as airports, on airplanes, on cruise ships or in other locations outside of the traditional casino."

While these statements clearly deal with the issue of communication of information between a network manager, presumably at a casino, and one or more remote terminals, they in

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no way suggest or comment upon the problem of geopolitical boundaries and whether or not the location of the remote terminals can be detected and reported so that the network manager can be assured that the terminal is operating in a legal jurisdiction. As mentioned above, the thrust of the present invention is that it provides means for positively identifying the location of the remote unit and the time of the gambling transaction so that legal gambling can take place, and illegal gambling activity can be prevented. Vuong et al. clearly avoids any discussion whatsoever of the problem.

Moreover, the VSAT transmission network suggested by Vuong et al. as the means for coupling remote gaming terminals to a network manager is clearly incapable of identifying the location of a remote terminal. As understood by Applicants, a VSAT (very small aperture terminal) utilizes a one-meter antennae and can typically put out about 1 watt of power. The up-link is generally good for 19.2 kbps but the down-link is more often 512 kbps. In most VSAT systems, the microstations do not have enough power to communicate directly with one another (via a satellite of course). Instead a special ground station or hub with a large, high gain antennae is needed to relay traffic between VSATs. In this mode of operation, either the sender or the receiver has a large antennae and a powerful amplifier. But more importantly, VSATs are communication devices, and are not a part of a position locating system. Although a particular VSAT footprint on earth, typically a diameter of 1,000 kilometers or more, might be considered as "locating" a transmitter by virtue of its receipt of a signal emanating from some place on the earth-based footprint, such information is clearly not definitive of the location of the source of the data transmitted. For example, even if location within 1,000 kilometers were adequate for identifying position within a particular geopolitical boundary, there is nothing within the VSAT system to indicate that the actual source of the data transmitted came from within the VSAT footprint. For example, such a system would be easy to spoof by locating a repeater transceiver at the VSAT transceiver unit, and using such relay unit to input signals generated from a transmitters in an other location. Applicants submit that the only satellite transmission system suggested by Vuong et al., namely, the VSAT transmission network mentioned in column 6, is clearly not capable of generating "location data identifying the present geographical location of said player terminal apparatus and for generating time data evidencing universal time", as recited in Applicants' independent claims 1, 21, 34, or the corresponding method recited in claim 35,

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and as a consequence, Applicants' recited inventions as recited in all of the claims, are not anticipated by Vuong et al. Reconsideration of the rejection is therefore respectfully solicited.

Claims 3-4, 8-9, 11, 14, 17-19, 23-24, 26, 28, 30, and 39 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong et al. and further in view of Applicants' own patent to Alcorn et al. No. 5,643,086. Applicants respectfully repeat the arguments made above with respect to Vuong et al., and even if combined with Applicants' own prior patent dealing with electronic casino gaming apparatus having improved play capacity, authentication and security would not anticipate the present invention. More specifically, to combine Vuong et al. with Alcorn et al., even though perhaps feasible in terms of providing communication between a plurality of gaming units, such combination would in no way address the issue of determining the geographical location of the terminals so as to assure that each terminal resides in a geopolitical district favorable to gambling. Applicants therefore submit that the inventions recited in Applicants' claims 1-40 are clearly unobvious in view of any combination of, or suggestions made by Vuong et al. and/or Alcorn et al., taken either singly or in combination. Reconsideration of the rejection is respectfully solicited.

Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong et al. and further in view of Menashe No. 5,586,937. Applicants submit that since claim 5 depends from claim 1, which recites means for "generating location data indicating the present geographical location of said player terminal apparatus and for generating time data evidencing universal time", and such means is neither shown nor suggested by Vuong et al., and clearly not by Menashe, the mere disclosure of the use of a personal password does not render applicant's invention, as recited in claim 5, obvious in view of any combination of the cited references. Reconsideration of the rejection is respectfully solicited.

Claim 10 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong et al. and further in view of Mueller et al., No. 5,323,322. Mueller et al. disclose a networked differential GPS system using differential techniques to reduce GPS navigational errors. Mueller et al. has absolutely nothing to do with the gaming industry, nor does it disclose how a GPS system might be used to facilitate remote gambling. Applicants do not claim to have invented the GPS system. They do however claim to have invented an electronic gaming system which, among other things, utilizes the GPS system, or other equivalent locating system, in combination with other electronic gaming security apparatus to assure that a remote player terminal does in

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fact meet the legal requirement of residing within a geopolitical boundary which permits such gambling. To combine Mueller et al. with Wong et al. is the result of forbidden hindsight and is impermissible in that neither reference shows or suggests the combination. Clearly, a VSAT terminal is not a part of a GPS system and is not intended to function as a position locating apparatus. It is merely a data communication means. Applicants therefore request reconsideration of the rejection.

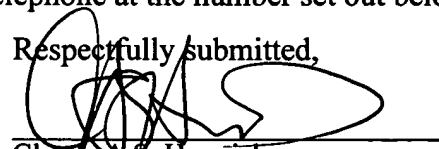
Claims 12, 13, 15, 16, 20, 25, 29, 30, 31, 32 and 33, have been rejected under 35 U.S.C. 103 (a) as being unpatentable over various combinations of Vuong et al., Alcorn et al., Menashe, Soltesz et al. and Mueller et al. Applicant repeats the arguments made above and submits that the wide area networking (WAN) disclosure of Soltesz et al. adds nothing to the combination that would anticipate applicant's inventions as recited in applicant's various claims. Nowhere in any of these references, taken either alone or in combination, is there a hint or suggestion that one incorporate GPS or other time and position locating technology into an electronic gaming system so as to provide positive insurance to the system operators and gaming authorities that each remote terminal is in fact in a legal way, operating within a legal jurisdiction. Applicants submit that the invention as recited in the amended claims is clearly distinguishable, and is thus patentable over any combination of the disclosures of the cited prior art. Reconsideration of the rejection and the early issuance of a Notice of Allowance is therefore respectfully solicited.

Having fully responded to outstanding office action, Applicants submit that the application is now in condition for allowance and an early notice thereof is requested. Should any further amendment be required prior to passing the application to issue, the examiner is respectfully invited to contact the undersigned by telephone at the number set out below.

Dated: January 13, 2000

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Respectfully submitted,


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I hereby certify that this correspondence with all attachments is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Box No Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on January 13, 2000 by I. Marie Kotsubo.

